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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SAMUEL L. JONES JR.,

Plaintiff,

-against-

INFINITY BROADCASTING CORPORATION:
OF WASHINGTON, D.C. n/k/a CBS RADIO
INC. OF WASHINGTON, D.C.,

Defendant.
-----X

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INFINITY BROADCASTING CORPORATION:
OF WASHINGTON, D.C. n/k/a CBS RADIO
INC. OF WASHINGTON, D.C.,

Counterclaimant and Third-Party
Plaintiff,

-against-

SAMUEL L. JONES JR.,

Counterclaim Defendant, and

RADIO ONE, INC.,

Third-Party Defendant.
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Civil Action No.
07 CV 5693 (BSJ/AJP)

NOTICE OF MOTION
TO VACATE OR MODIFY
PRELIMINARY INJUNCTION

PLEASE TAKE NOTICE that, upon the Declarations of Stanley G. Richards,

Everestus Thomas and Victor Rivera Jr., each executed August 9, 2007, the accompanying memorandum of law and all papers and proceedings heretofore had herein, the undersigned attorneys for Plaintiff Samuel L. Jones Jr. ("Jones") will move this Court before the Honorable Barbara S. Jones, U.S.D.J., at the United States Courthouse, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by the Court, for an order:

1. Pursuant to Rules 59(e) and/or 60(b) of the Federal Rules of Civil Procedure, to vacate the Amended Preliminary Injunction issued by the Court on July 27, 2007 or to modify the restraints contained therein; and
2. For such other and further relief as the Court may deem appropriate.

Pursuant to Rule 6.1(b) of the Local Rules of the United States District Court for the Southern District of New York, any opposing affidavits and answering memoranda shall be served within ten business days after service of this motion.

Dated: New York, New York
August 10, 2007

LEBENSFELD BORKER SUSSMAN & SHARON LLP

By: 

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